

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

F.N., individually and on behalf of I.N., a child with  
disability,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF  
EDUCATION,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 4/24/2024

1:21-cv-11177-MKV

**ORDER STAYING CASE**

MARY KAY VYSKOCIL, United States District Judge:

On March 29, 2024, the Court issued an Opinion and Order granting Plaintiff's motion for summary judgment and awarding attorneys' fees, costs, and post-judgment interest. [ECF No. 63]. On April 1, 2024, Plaintiff filed a notice of appeal to the United States Court of Appeals for the Second Circuit. [ECF No. 65]. On April 18, 2024, the Second Circuit issued an Order remanding the case to this Court for further proceedings following the Second Circuit's determination of the pending appeal in *Y.G. v. New York City Department of Education*, Case No. 22-1184(L), and related appeals. On April 23, 2024, the case was reopened in this Court.

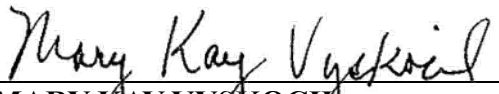
Accordingly, as the only matter remaining for resolution in this case is the Court's reconsideration of its summary judgment Opinion and Order in light of the Second Circuit's decision in *Y.G.*, IT IS HEREBY ORDERED that this case is stayed pending the Second Circuit's determination in *Y.G.* See *Leslie v. Thompson Reuters Corp.*, No. 22 CIV. 07936 (JHR), 2023 WL 6173511, at \*2 (S.D.N.Y. Sept. 22, 2023) (explaining that a district court may exercise its power to stay proceedings *sua sponte*, including because "of a pending Second Circuit decision that will significantly impact th[e] litigation" (internal quotation marks omitted)).

IT IS FURTHER ORDERED that, within two weeks of the Second Circuit's determination in *Y.G.*, the parties shall file separate letters of no more than five pages each briefing the impact of the Second Circuit's decision on the Court's summary judgment Opinion and Order.

The Clerk of Court is respectfully requested to STAY this case.

**SO ORDERED.**

**Date: April 24, 2024**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**